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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

ALBERTO CERNIAZ,

Defendant and Appellant.

2d Crim. No. B218641
(Super. Ct. No. NA081835)
(Los Angeles County)

Alberto Cerniaz appeals his conviction by plea to possession of a controlled substance (Health & Saf. Code, § 11377, subd. (a)), entered after a motion to suppress evidence was denied (Pen. Code, § 1538.5).¹ The trial court sentenced appellant to two years state prison, awarded presentence credits, and ordered appellant to pay a \$30 court security fee (§ 1465.8), a \$100 drug program fee (Health & Saf. Code, § 11372.7, subd. (a)), a \$400 restitution fine (§ 1202.4, subd. (b)), and a \$400 parole revocation fine (§ 1202.45).

The preliminary hearing transcript and reporter's transcript indicate that appellant was stopped while riding a mountain bike on a sidewalk in violation of the Vehicle Code. The bike did not have a bell, horn or registration sticker, in violation of the Long Beach Municipal Code. The officer determined that appellant was on parole,

¹ All statutory references are to the Penal Code unless otherwise stated.

conducted a parole search, and found a knife and small bindle of methamphetamine on appellant's person.

We appointed counsel to represent appellant in this appeal. After examination of the record, counsel filed an opening brief in which no issues were raised.

On December 4, 2009, we advised appellant that he had 30 days within which to personally submit any contentions or issues which he wished us to consider. No response has been received from appellant.

We have examined the entire record and are satisfied that appellant's attorney has fully complied with his responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441; *People v. Kelly* (2006) 40 Cal.4th 106, 125-126.)

The judgment is affirmed.

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YEGAN, J.

We concur:

GILBERT, P.J.

COFFEE, J.

Joan Comparet-Cassani, Judge
Superior Court County of Los Angeles

Richard Fitzer, under appointment by the Court of Appeal, for Defendant
and Appellant.

No appearance for Respondent.